

REMARKS

The features of allowable claim 15 are incorporated into claim 1, from which it depended.

The features of allowable claim 25 are incorporated into claim 23, from which it depended.

Claims 16 to 18 have been amended to surface-modified effect pigments based on flake-form substrates, which are sheathed with one or more layers of immobilised UCST polymer. This amendment is believed to render the rejection of these claims moot.

All other claims are dependent on the above-discussed claims 15 and 25, and thus, should be allowed.

The rejoinder, examination and allowance of the withdrawn method claims in accord with the provisions of the MPEP are requested. See MPEP § 821.04, Rejoinder, which states that "if the elected invention is directed to the product and the claims directed to the product are subsequently found patentable, process claims [both process of making and using] which either depend from or include all the limitations of the allowable product will be rejoined."

If any further issues remain, applicants request that the Examiner contact the undersigned for the expeditious resolution thereof.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Csaba Henter/

Csaba Henter, Reg. No. 50,908
Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Boulevard, Suite 1400
Arlington, VA 22201
Telephone: 703-243-6333
Facsimile: 703-243-6410
Attorney Docket No.:MERCK-2981

Date: March 13, 2009

K:\Merck\2000 - 2999\2981\Reply Mar 09.doc